

Public Lands and Buildings: House Bills Nos. 4, 5, and 6.

Common Carriers: House Bill No. 426.

Revenue and Taxation: House Bill No. 247.

Game and Fisheries: House Bills Nos. 358, 441, 327, 362, 399, and 236.

Education: House bill No. 211.

The Committee on Education filed an adverse report on House Bill No. 356.

The Committee on Judiciary filed an adverse report, with a minority favorable report, on House Bill No. 77.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, February 9, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 242, A bill to be entitled "An Act to repeal Chapter 5, Acts of the Thirty-sixth Legislature, Third Called Session, and Chapter 34, Section 1 and Subsection 15, Acts of the Thirty-seventh Legislature, Regular Session,"

Has carefully compared same, and finds it correctly engrossed.

PARKHOUSE, Acting Chairman.

TWENTIETH DAY

(Monday, February 13, 1933)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Calvert.
Adamson.	Camp.
Aikin.	Canon.
Alexander.	Cathey.
Alsup.	Caven.
Anderson	Chastain.
of Bexar.	Clayton.
Anderson	Colson.
of Johnson.	Coombes.
Baker.	Cowley.
Barrett.	Crossley.
Barron.	Daniel.
Beck.	Davidson.
Bedford.	Dean.
Bourne.	Devall.
Bradley.	Dunlap.
Burns.	Dunagan.
Butler.	Dwyer.

Engelhard.	Merritt.
Fain.	Metcalfe.
Few.	Mitcham.
Fisher.	Moffett.
Ford.	Moore.
Fuchs.	Morrison.
Glass.	Morse.
Golson.	Munson.
Good.	Nicholson.
Goodman.	Palmer.
Greathouse.	Parkhouse.
Griffith.	Pavlica.
Haag.	Pope.
Hankamer.	Purveyar.
Harman.	Ramsey.
Harris.	Ratliff.
Harrison.	Ray.
Hartzog.	Reader.
Head.	Reed of Bowie.
Hester.	Reed of Dallas.
Hicks.	Renfro.
Hill of Brazoria.	Riddle.
Hill of Webb.	Roberts.
Hodges.	Rogers of Hunt.
Holekamp.	Rogers
Holland.	of Ochiltree.
Holloway.	Rollins.
Hoskins.	Ross.
Huddleston.	Russell.
Hughes.	Savage.
Hunt.	Scarborough.
Hyder.	Scott.
Jackson.	Shannon.
James.	Shults.
Jefferson.	Smith.
Johnson	Stanfield.
of Anderson.	Steward.
Jones of Atascosa.	Stinson.
Jones of Runnels.	Stovall.
Jones of Shelby.	Sullivant.
Kayton.	Tarwater.
Kyle of Hays.	Tennyson.
Kyle of Palo Pinto.	Thomas.
Laird.	Tillery.
Latham.	Townsend.
Lemens.	Turlington.
Leonard.	Van Zandt.
Lindsey.	Vaughan.
Long.	Wagstaff.
Lotief.	Walker.
Magee.	Weinert.
Mackay.	Wells.
Mathis.	Winningham.
McClain.	Wood.
McGregor.	Young.
McKee.	

Absent

Duvall.	West.
McDougald.	

Absent—Excused

Graves.	McCullough.
Johnson	Patterson.
of Dimmit.	

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business.

Mr. Tillery for last Friday and Saturday, on motion of Mr. Holekamp.

Mr. Caven for today, on motion of Mr. Beck.

Mr. Graves for today, on motion of Mr. Camp.

The following Members were granted leaves of absence on account of illness:

Mr. Patterson for today and the balance of the week, on motion of Mr. Morse.

Mr. Johnson of Dimmit for today and the balance of the week, on motion of Mr. Ray.

Mr. McCullough for today, on account of illness in his family, on motion of Mr. Hyder.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. McKee:

H. B. No. 467, A bill to be entitled "An Act providing that no insurance company shall hereafter be permitted to insure any property within the State of Texas in excess of its reasonable market value, and providing further, that the amount of insurance stipulated in such policy of insurance will be conclusively presumed to be the reasonable market value thereof, and no insurance company shall be permitted to defend any suit, claim, or cause of action arising out of any such loss and insurance policy on the ground that such property is not worth, at its reasonable market value, less than the amount stipulated in such policy of insurance; and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Hartzog:

H. B. No. 468, A bill to be entitled "An Act regulating the size of shrimp and fish to be taken and sold from the salt waters of this State; providing a closed season on salt water

terrapin; making it unlawful to take or sell female crabs with eggs attached; providing it shall be unlawful to use seines or nets in or on any of the tidal waters of this State, where said nets are prohibited from being used in taking fish or shrimp, and fixing the size of mesh of seines or nets to be used in such waters where they are not prohibited; providing that the title to oyster shells shall remain in the State, fixing a minimum price for which they may be sold, and specifying that the receipts from sale of oysters shall be deposited to the credit of the Special Game Fund; repealing all laws in conflict herewith and especially Articles 929, 930, 937, 937-a, 938, 941, 945, 950, and 952-1-3, of the Penal Code of the State of Texas, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Duvall:

H. B. No. 469, A bill to be entitled "An Act providing for serially numbering all warrants issued by the State of Texas, or by any county, city, school district, or political subdivision, and for the registration of such warrants in the office of the State Treasurer, county treasurer, city treasurer, or other person whose duty it is to redeem the same, and providing for the redemption of such warrants in the order in which they are numbered when presented within ten days after date of issuance, and providing for a reserve fund to meet those not so presented, and the payment, after the reserve is made, of the next following numbered warrants, providing a penalty for the failure to comply with the provisions hereof, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Lemens:

H. B. No. 470, A bill to be entitled "An Act levying an occupation tax on peddlers, and defining the term 'peddler,' and providing for the enforcement thereof by the county and district attorneys, and providing proper receipts and licensing of peddlers, and for the collection of the tax, and fixing a penalty for failure to pay the tax; and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Anderson of Johnson, Mrs. Hughes, and Mr. Metcalfe:

H. B. No. 471, A bill to be entitled "An Act reorganizing the system of higher education in Texas; creating the Texas State Board of Regents; providing the method of appointment; fixing their terms of office and compensation; prescribing the duties of said Board; abolishing the Board of Regents of the University of Texas, and the governing boards of the Agricultural and Mechanical College of Texas, College of Industrial Arts, Texas Technological College, Texas College of Arts and Industries, the Texas Junior Agricultural, Mechanical, and Industrial College at Arlington; authorizing the Board to appoint an executive secretary; authorizing the appointment and providing for the compensation of the necessary administrative and clerical assistants of the Board; providing for the preparation of the budget for the institutions of higher education; etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Kayton:

H. B. No. 472, A bill to be entitled "An Act to levy an occupation tax on retail sales; defining retail sales; providing for the registration of retailers and the payment of taxes on retail sales; providing for the collection, impounding, and distribution of all such funds; providing for the filing of a return with the tax commissioner subject to certain rules, conditions, and penalties; and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Russell, Mr. Beck, Mr. Lemens, and Mr. Harris:

H. B. No. 473, A bill to be entitled "An Act to amend Article 3311, of the Revised Civil Statutes of 1925, relating to the service of citation in probate proceedings, so as to specially provide that the service of citation by posting shall be sufficient if one notice is posted at the courthouse door; and providing that at the courthouse door shall mean the place at the courthouse where notices of legal and judicial proceedings are usually posted; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Duvall:

H. B. No. 474, A bill to be entitled "An Act amending Article 2008, of the 1925 Revised Civil Statutes of Texas, by providing that either party may appeal from the judgment sustaining or overruling a plea of privilege and that such appeal shall suspend the transfer of the venue and a trial of the cause pending the final determination of such appeal; and providing further, that whenever it shall have been finally determined that a party litigant has been sued in the wrong county, that he shall recover a reasonable attorney's fee from the opposing party who sued in the wrong county, which same shall be taxed as a part of the costs of the case, and after the final disposition of said cause, the successful party shall be entitled to his execution therefor or to plead the same in offset of any judgment that might be recovered against him by the opposing party, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Burns and Mr. Daniel:

H. B. No. 475, A bill to be entitled "An Act amending Section 28, of Chapter 212, Acts of Regular Session, Fortieth Legislature; and declaring an emergency." (Relating to discharge of prisoners.)

Referred to Committee on Penitentiaries.

By Mr. Greathouse and Mr. Vaughan:

H. B. No. 476, A bill to be entitled "An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices that tend to create a monopoly or substantially lessen competition, unfair, defining the duties of the Attorney General in regard thereto; declaring certain contracts illegal, and forbidding recovery thereon; providing for actions to enjoin unfair competition and discrimination, and to recover damages therefor; making the violation of the provisions of this Act a misdemeanor, and providing penalties and venue; and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Dunagan and Mr. Tennyson:

H. B. No. 477, A bill to be entitled "An Act making an appropriation to

cover claims against the State resulting from deficiency warrants held by the First State Bank of Big Sandy, Texas, and O. L. Gibbs of Wichita Falls, Texas; and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Metcalfe and Mr. Merritt:

H. B. No. 478, A bill to be entitled "An Act to amend Subdivision 32, of Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts, 1931. Forty-second Legislature, First Called Session, page 27, Chapter 14, Section 1, relating to the district court of the Thirty-second Judicial District, so as to change the dates of convening the district court in the counties of the Thirty-second Judicial District of Texas; Subdivision 70, of Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts, 1929, Forty-first Legislature, page 50, Chapter 19, relating to the district court for the Seventieth Judicial District of the State of Texas, so as to include Howard County in the Seventieth Judicial District, and to change the dates of convening of the district court in the counties of the Seventieth Judicial District; to amend Subdivision 109, of Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, 1925, as created by Acts, 1929, Forty-first Legislature, Regular Session, page 50, Chapter 19, relating to the creation of the One Hundred and Ninth Judicial District of the State of Texas, so as to include Andrews County in the One Hundred and Ninth Judicial District, and to change the dates of convening the district court in the counties of the One Hundred and Ninth Judicial District; etc.; and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Anderson of Johnson, Mr. Metcalfe, Mr. Lemens, and Mr. Clayton:

H. B. No. 479, A bill to be entitled "An Act relating to the office of district attorney for the Eighteenth Judicial District of Texas, providing compensation and making an appropriation for the same; providing compensation and making an appropriation for the district attorney of the

One Hundred and Nineteenth Judicial District of the State of Texas; providing compensation and making appropriation for the district attorney of the Thirty-fourth Judicial District of the State of Texas; and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Reed of Bowie:

H. B. No. 480, A bill to be entitled "An Act providing for rural school supervisor or supervisors in lieu of the teachers' institute, as required under Article 2691, and providing for the payment of the salaries of said rural school supervisor or supervisors, in counties having a population of forty-five thousand (45,000), according to the Federal Census of 1930, and a scholastic population of at least 14,000, as shown by the scholastic census report for the school year of 1931-32, and declaring an emergency."

Referred to Committee on Education.

By Mr. Anderson of Johnson and Mr. Lemens:

H. B. No. 481, A bill to be entitled "An Act relating to the office of district attorney for the Eighteenth Judicial District of Texas, providing compensation and making an appropriation for same, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Turlington:

H. B. No. 482, A bill to be entitled "An Act validating all cities and towns in Texas of 5,000 inhabitants or less, heretofore incorporated and/or attempted in good faith to be incorporated under the general laws of Texas; and validating all governmental proceedings performed in good faith by the governing bodies of such cities and towns since their incorporation or attempted incorporation, respectively; and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

MESSAGE FROM THE GOVERNOR

Mr. J. H. Davis, Jr., Secretary to the Governor, appeared at the Bar of the House, and, being duly announced, presented a message from the Governor, which was read to the House as follows:

Executive Office,
Austin, Texas, February 13, 1933.

To the Forty-third Legislature:

From sources which I deem entirely reliable, it has come to my knowledge that the State Highway Department, in the face of the law, and in the face of an opinion of the Attorney General in January 1932, began about one year ago to divert the revenues of the Highway Department to the construction of roads for twenty-two counties in Texas, which now amounts to the approximate sum of \$1,945,722, and agreed to accept checks on the Security Trust Company, of Austin, drawn by the counties in payment for said work as same was completed.

The said twenty-two counties deposited various bonds and securities owned by them, but not issued by them, of the par value of \$2,119,328, with a local bank as trustee for the Security Trust Company and the State Highway Commission to secure payment of the road construction in their respective counties. At the time said bonds and securities were deposited, I am informed that the Highway Commission knew, or by the exercise of diligence could have known, that said bonds and securities were of doubtful value and were not, in any event, worth anything like their par or face value.

My information further is that the said Highway Commission continued to divert highway revenues accruing from the gasoline tax and license fees to said road construction, for which said counties issued their respective checks and drafts on the said Security Trust Company, in payment for said construction as previously agreed. My information is that the Highway Commission and the Security Trust Company, although said institution was then in liquidation, agreed that said checks issued by the counties would not be presented for payment and would be held and acquired by the Highway Commission. My information is, that the Highway Commission now has and holds and has held for nearly a year, these un-presented checks and drafts drawn by said counties, in the amount of some \$1,077,426, and that said Security Trust Company is still in liquidation, and is not in funds to pay said checks or drafts.

My information is that the bonds so deposited by the various counties in the said amount of \$2,119,328 are not worth more than an average of forty cents on the dollar, or of a total value of \$847,731. Subtracting the value of said bonds from the amount of the State Highway Department funds diverted by the Highway Commission in the construction of roads in said twenty-two counties amounting as above-stated to \$1,945,722, there is a shortage or loss of State Highway funds of \$1,097,991.

I am informed that many of the counties did not know until recently that their checks had not been presented and were still being held by the Highway Commission.

I am informed that the Attorney General informed the Highway Commission in a written opinion that the law did not authorize them to so use State Highway funds and that such action was prohibited by law.

As the loss of the Highway funds appears to be over one million dollars, I deem it my duty to bring said facts to your attention for such consideration as you may deem necessary.

I am making other investigation of the disposition of other State funds and hope to bring same to your attention soon.

MIRIAM A. FERGUSON,
Governor.

COMMUNICATION FROM THE HON. WM. E. CLAYTON.

The Speaker laid before the House, and had read, the following communication:

Austin, Texas, February 13, 1933.

To the Speaker, Officers, and Members
of the House of Representatives.

My family and I wish to express our grateful appreciation for your remembrance and sympathy as shown by your resolution and floral offering last Monday.

BILL CLAYTON.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 13, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 153, A bill to be entitled "An Act to amend Article 2547, Revised Civil Statutes of Texas, as amended by the Forty-first Legislature, at the Regular Session; and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of the Senate.

BILLS ORDERED NOT PRINTED

On motion of Mr. Glass, House Bill No. 441 was ordered not printed.

On motion of Mr. Tillery, House Bill No. 399 was ordered not printed.

On motion of Mr. Good, House Bills Nos. 211 and 327 were ordered not printed.

On motion of Mr. Goodman, House Bill No. 358 was ordered not printed.

On motion of Mr. Lemens, House Bill No. 236 was ordered not printed.

On motion of Mr. Aikin, House Bill No. 362 was ordered not printed.

BILLS ORDERED PRINTED

On motion of Mr. Stinson, House Bill No. 107, reported adversely, with a minority favorable report, was ordered printed.

On motion of Mr. Greathouse, House Bill No. 231, reported adversely, with a minority favorable report, was ordered printed.

On motion of Mr. Burns, House Bill No. 77, reported adversely, with a minority favorable report, was ordered printed.

HOUSE JOINT RESOLUTION NO. 3 ON SECOND READING

The Speaker laid before the House, as unfinished business, for consideration at this time,

H. J. R. No. 3, Proposing to repeal Article V, of the Constitution of the State of Texas, the same being the Article creating the Judiciary Department of the State, and to adopt and enact a new Article V in lieu thereof, reorganizing the Judiciary Department of the State of Texas.

The resolution having been read second time on last Friday.

Mr. McGregor offered the following committee amendment to the resolution:

Amend Section 11 of House Joint Resolution No. 3 by adding thereto the following:

"The Legislature shall fix the salaries and provide by law for the payment of all salaries of all Judges and other officers dealt with in this Article. It shall also have the power to increase or decrease the number of county judges in any county."

Mr. McGregor offered the following amendment to the committee amendment:

Amend the amendment No. 3 to House Joint Resolution No. 3 by adding thereto the following:

"Where there is more than one county judge in any county, the Legislature shall provide by law which county judge shall sit and act with the commissioners court."

The amendment was adopted.

The committee amendment as amended was then adopted.

Mr. McGregor offered the following committee amendment to the resolution:

Amend House Joint Resolution No. 3 by striking out all of Section 23 and renumbering all subsequent sections to conform to the numbers of the previous sections.

The amendment was adopted.

Mr. Moore offered the following amendment to the resolution:

Amend House Joint Resolution No. 3 by striking out all of Section 9, and inserting in lieu thereof the following:

"Section 9. The Court of Criminal Appeals shall consist of five judges, any three of whom shall constitute a quorum, and the concurrence of three judges shall be necessary to a decision of said Court; said judges shall have the same qualifications and receive the same salaries as the Judges of the Supreme Court. They shall be elected by the qualified voters of the State at a general election, and shall hold their offices for a term of six years. In case of a vacancy in the office of a Judge of the Court of Criminal Appeals, the Governor shall fill such vacancy by appointment for the unexpired term. Upon the adoption of this amendment the Governor shall call an election, to be held not less than forty and not more than sixty days from the date of the adoption, for the purpose of electing two Judges of the Court of Criminal Appeals, one of whom shall be elected for a term of four years and one of whom shall be elected for a term of six years and

shall serve until their successors are elected and qualified. The Judges of the Court of Criminal Appeals who may be in office at the time this amendment shall take effect shall continue in office until the expiration of their terms of office and until their successors are elected and qualified."

The amendment was adopted.

Mr. Van Zandt offered the following amendment to the resolution:

Amend House Joint Resolution No. 3, page 6, Section 16, by striking out in lines 33, 34, and 35, the following words "from time to time for the convenience of the people into precincts, not less than four and not more than eight," and substitute in lieu thereof the following: "into four precincts for the convenience of the people." And by striking out the words "eight thousand," in line 1, on page 7, and substitute in lieu thereof the words: "twenty thousand."

ADAMSON,
VAN ZANDT.

Mr. Barrett moved to table the resolution.

The motion was lost by the following vote:

Yeas—8

Barrett.	Ford.
Crossley.	Palmer.
Davidson.	Puryear.
Few.	Rollins.

Nays—119

Adamson.	Dean.
Aikin.	Devall.
Alexander.	Dunagan.
Alsup.	Dwyer.
Anderson	Fain.
of Bexar.	Fisher.
Anderson	Fuchs.
of Johnson.	Glass.
Beck.	Golson.
Bedford.	Good.
Bourne.	Goodman.
Bradley.	Greathouse.
Burns.	Griffith.
Butler.	Haag.
Calvert.	Hankamer.
Camp.	Harman.
Canon.	Harris.
Cathey.	Hartzog.
Caven.	Head.
Chastain.	Hester.
Clayton.	Hicks.
Colson.	Hill of Brazoria.
Coombes.	Hodges.
Cowley.	Holekamp.
Daniel.	Holland.

Holloway.	Pope.
Hoskins.	Ramsey.
Huddleston.	Ratliff.
Hunt.	Ray.
Hyder.	Reader.
Jackson.	Reed of Bowie.
James.	Reed of Dallas.
Jefferson.	Renfro.
Johnson	Roberts.
of Anderson.	Rogers of Hunt.
Jones of Atascosa.	Rogers
Jones of Runnels.	of Ochiltree.
Jones of Shelby.	Ross.
Kayton.	Savage.
Kyle of Hays.	Scott.
Kyle of Palo Pinto.	Shannon.
Laird.	Shults.
Latham.	Smith.
Lemens.	Stanfield.
Leonard.	Steward.
Lindsey.	Stinson.
Lotief.	Stovall.
Magee.	Sullivant.
Mackay.	Tarwater.
Mathis.	Tennyson.
McClain.	Thomas.
McGregor.	Tillery.
Merritt.	Townsend.
Metcalf.	Turlington.
Mitcham.	Van Zandt.
Moffett.	Vaughan.
Moore.	Wagstaff.
Morrison.	Walker.
Morse.	Weinert.
Nicholson.	Wood.
Parkhouse.	Young.
Pavlica.	

Absent

Baker.	McDougald.
Barron.	McKee.
Dunlap.	Munson.
Duvall.	Riddle.
Engelhard.	Russell.
Harrison.	Scarborough.
Hill of Webb.	Wells.
Hughes.	West.
Long.	Winningham.

Absent—Excused

Graves.	McCullough.
Johnson	Patterson.
of Dimmit.	

Question then recurring on the amendment by Mr. Van Zandt, it was adopted.

Mr. Moore offered the following amendment to the resolution:

Amend House Joint Resolution No. 3, line 38, page 6, by striking out the words "and one constable."

MOORE,
MORSE.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—92

Adamson.	Kyle of Hays.
Aikin.	Kyle of Palo Pinto.
Alexander.	Laird.
Alsup.	Latham.
Anderson	Lemens.
of Johnson.	Leonard.
Beck.	Lotief.
Bradley.	Magee.
Butler.	Mackay.
Camp.	Mathis.
Canon.	Merritt.
Cathey.	Metcalf.
Caven.	Moffett.
Chastain.	Moore.
Clayton.	Morse.
Colson.	Nicholson.
Coombes.	Pavlica.
Cowley.	Pope.
Daniel.	Puryear.
Davidson.	Ratliff.
Dean.	Reader.
Few.	Reed of Bowie.
Fuchs.	Reed of Dallas.
Glass.	Renfro.
Golson.	Roberts.
Good.	Rogers of Hunt.
Greathouse.	Rogers
Haag.	of Ochiltree.
Hankamer.	Rollins.
Harman.	Ross.
Harris.	Savage.
Harrison.	Shannon.
Hartzog.	Shults.
Head.	Stanfield.
Hester.	Steward.
Hill of Brazoria.	Sullivan.
Hodges.	Tarwater.
Holekamp.	Tennyson.
Holland.	Thomas.
Hoskins.	Townsend.
Hunt.	Turlington.
Jackson.	Van Zandt.
Jefferson.	Vaughan.
Johnson	Walker.
of Anderson.	Winningham.
Jones of Atascosa.	Wood.
Jones of Shelby.	Young.
Kayton.	

Nays—25

Anderson	Hicks.
of Bexar.	Huddleston.
Barrett.	Hyder.
Bourne.	James.
Burns.	Jones of Runnels.
Crossley.	Lindsey.
Devall.	McClain.
Fain.	McGregor.
Goodman.	McKee.
Griffith.	Mitcham.

Morrison.
Scott.
Smith.'

Stovall.
Wagstaff.
Wells.

Present—Not Voting

Fisher. Scarborough.

Absent

Baker.	Long.
Barron.	McDougald.
Bedford.	Munson.
Calvert.	Palmer.
Dunlap.	Parkhouse.
Dunagan.	Ramsey.
Duvall.	Ray.
Dwyer.	Riddle.
Engelhard.	Russell.
Ford.	Stinson.
Hill of Webb.	Tillery.
Holloway.	Weinert.
Hughes.	West.

Absent—Excused

Graves.	McCullough.
Johnson	Patterson.
of Dimmit.	

Mr. Savage offered the following amendment to the resolution:

Amend House Joint Resolution No. 3, page 7, line 4, after the word "votes," by striking out the word "thereof," and inserting: "of the county."

On motion of Mr. McGregor, the amendment by Mr. Savage was tabled.

Mr. Metcalfe offered the following amendment to the resolution:

Amend House Joint Resolution No. 3, page 5, line 23, by striking out of said line, the word "shall" and insert in lieu thereof the word "may."

The amendment was adopted.

Mr. Harman offered the following amendment to the resolution:

Amend House Joint Resolution No. 3, page 7, Section 17, lines 16 and 17, by striking out the words "perquisites and fees of office" and insert in lieu thereof the words "and compensation."

The amendment was adopted.

Mr. Harman offered the following amendment to the resolution:

Amend House Joint Resolution No. 3, page 8, Section 22, line 23, by striking out the following: "perquisites and fees of office," and insert in lieu thereof the word "compensation."

The amendment was adopted.

Mr. Harman offered the following amendment to the resolution:

Amend House Joint Resolution No. 3, page 8, Section 22, line 23, by striking out the words "perquisites and fees of office," and insert in lieu thereof the word "compensation."

The amendment was adopted.

Mr. Moore offered the following amendment to the resolution:

Amend House Joint Resolution No. 3 by striking out the word "county" in each instance where the courts of general jurisdiction are termed county courts, and inserting in lieu thereof the word "district."

On motion of Mr. Morrison, the amendment was tabled.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 153, to the Committee on Banks and Banking.

ADJOURNMENT

Mr. Moffett moved that the House adjourn until 10 o'clock a. m., tomorrow.

Mr. Bradley moved that the House recess to 10 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Moffett, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—86

Adamson.	Dunagan.
Aikin.	Engelhard.
Alexander.	Few.
Anderson	Fisher.
of Johnson.	Ford.
Barrett.	Fuchs.
Barron.	Golson.
Bourne.	Griffith.
Burns.	Haag.
Calvert.	Hankamer.
Camp.	Harris.
Canon.	Head.
Caven.	Hicks.
Chastain.	Hill of Brazoria.
Colson.	Hill of Webb.
Coombes.	Hodges.
Crossley.	Hughes.
Daniel.	Hyder.
Davidson.	Jackson.
Dean.	Johnson
Devall.	of Anderson.

Jones of Atascosa.	Reed of Dallas.
Jones of Runnels.	Renfro.
Kyle of Hays.	Roberts.
Kyle of Palo Pinto.	Rogers
Laird.	of Ochiltree.
Lemens.	Rollins.
Lindsey.	Ross.
Magee.	Russell.
Mackay.	Savage.
McClain.	Shannon.
McKee.	Shults.
Merritt.	Steward.
Metcalfe.	Sullivan.
Mitcham.	Tarwater.
Moffett.	Tennyson.
Moore.	Townsend.
Morrison.	Turlington.
Munson.	Van Zandt.
Parkhouse.	Vaughan.
Pope.	Wagstaff.
Ramsey.	Wells.
Ratliff.	Winningham.
Ray.	Wood.
Reed of Bowie.	

Nays—30

Alsup.	James.
Baker.	Latham.
Bradley.	Lotief.
Butler.	Mathis.
Cathey.	Morse.
Cowley.	Pavlica.
Fain.	Scarborough.
Glass.	Scott.
Good.	Smith.
Goodman.	Stinson.
Harrison.	Stovall.
Holekamp.	Thomas.
Holland.	Walker.
Huddleston.	Weinert.
Hunt.	Young.

Absent

Anderson	Jones of Shelby.
of Bexar.	Kayton.
Beck.	Leonard.
Bedford.	Long.
Clayton.	McDougald.
Dunlap.	McGregor.
Duvall.	Nicholson.
Dwyer.	Palmer.
Greathouse.	Puryear.
Harman.	Reader.
Hartzog.	Riddle.
Hester.	Rogers of Hunt.
Holloway.	Stanfield.
Hoskins.	Tillery.
Jefferson.	West.

Absent—Excused

Graves.	McCullough.
Johnson	Patterson.
of Dimmit.	

The House, accordingly, at 12:10 o'clock p. m., adjourned until 10 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The Committee on Education has filed a favorable report on House Bill No. 243.

The following committees have filed adverse reports on bills, as follows:

Education: House Bills Nos. 56 and 155.

Judiciary: House Bills Nos. 178, 212, 254, 255, 300, 304, 308, 309, 370, and 371.

The Committee on Judiciary filed an adverse report, with a minority favorable report, on House Bill No. 231.

TWENTY-FIRST DAY

(Tuesday, February 14, 1933)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Dunagan.
Adamson.	Duvall.
Aikin.	Dwyer.
Alexander.	Engelhard.
Alsup.	Fain.
Anderson	Few.
of Bexar.	Fisher.
Anderson	Ford.
of Johnson.	Fuchs.
Baker.	Glass.
Barrett.	Golson.
Barron.	Good.
Beck.	Goodman.
Bedford.	Graves.
Bourne.	Greathouse.
Bradley.	Griffith.
Burns.	Haag.
Butler.	Hankamer.
Calvert.	Harman.
Camp.	Harrison.
Canon.	Hartzog.
Cathey.	Head.
Caven.	Hester.
Chastain.	Hicks.
Clayton.	Hill of Brazoria.
Colson.	Hill of Webb.
Coombes.	Hodges.
Cowley.	Holekamp.
Crossley.	Holland.
Daniel.	Holloway.
Davidson.	Hoskins.
Dean.	Huddleston.
Devall.	Hughes.
Dunlap.	Hunt.

Hyder.	Ray.
Jackson.	Reader.
James.	Reed of Bowie.
Jefferson.	Reed of Dallas.
Johnson	Renfro.
of Anderson.	Riddle.
Jones of Atascosa.	Roberts.
Jones of Runnels.	Rogers of Hunt.
Jones of Shelby.	Rogers
Kayton.	of Ochiltree.
Kyle of Hays.	Rollins.
Kyle of Palo Pinto.	Ross.
Laird.	Russell.
Latham.	Savage.
Lemens.	Scarborough.
Leonard.	Scott.
Lindsey.	Shannon.
Long.	Shults.
Lotief.	Smith.
Magee.	Stanfield.
Mackay.	Steward.
Mathis.	Stinson.
McClain.	Stovall.
McGregor.	Sullivant.
McKee.	Tarwater.
Metcalf.	Tennyson.
Mitcham.	Thomas.
Moffett.	Tillery.
Moore.	Townsend.
Morrison.	Turlington.
Morse.	Van Zandt.
Munson.	Vaughan.
Nicholson.	Wagstaff.
Parkhouse.	Walker.
Pavlica.	Weinert.
Pope.	Wells.
Puryear.	Winningham.
Ramsey.	Wood.
Ratliff.	Young.

Absent

Harris.

Absent—Excused

Johnson	Merritt.
of Dimmit.	Palmer.
McCullough.	Patterson.
McDougald.	West.

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Merritt for today, on motion of Mr. Metcalfe.

Mr. McDougald for today and the balance of the week, on motion of Mr. Parkhouse.